

Appln. No. : 09/910,657  
Applicant : Jaepel, et al.  
Filed : July 20, 2001  
TC/A.U. : 2654  
Examiner : Lerner, Martin

Confirmation No. 2614

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JAN 11 2005

Docket No. : CH9-2000-0004 (246)

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**RESPONSE TO OFFICE ACTION**

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**MAIL STOP AMENDMENT**

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed October 4, 2004 (Office Action), please amend the above-identified application as follows:

**Amendments to the Specification** are reflected in the replacement paragraph which begins on page 2 of this submission.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 4 of this submission.

**Remarks/Arguments** begin on page 20 of this submission.

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**Certificate Under 37 CFR 1.8(a)**

I hereby certify that this correspondence is being transmitted via facsimile transmission to MAILSTOP AMENDMENT, Commissioner for Patents, at 703-872-9306 on

11 Jan 2005  
Date

Brian K. Buchheit, Reg. No. 52,667  
Brian K. Buchheit, Esquire

{FT255007;1}

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**TRANSMITTAL LETTER**

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Via Facsimile Transmission

Fax No. 703-872-9306 (32 pages)

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:


Please find enclosed for filing:

1. Response under 37 C.F.R. §1.111;
2. Retroactive Petition for Extension of Time (One Month);
3. Fee Transmittal Sheet; and
4. Please charge any deficiencies or credit any overpayment to Deposit Account No. 50-0951.

This Transmittal Letter is submitted in duplicate.

Respectfully submitted,

Date: 11 Jan 2005


  
Gregory A. Nelson, Registration No. 30,577  
Richard A. Hinson, Registration No. 47,652  
Brian K. Buchheit, Registration No. 52,667  
AKERMAN SENTERFITT  
Customer No. 40987  
Post Office Box 3188  
West Palm Beach, FL 33402-3188  
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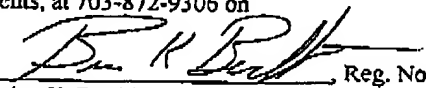
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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 720.00)

## Complete if Known

Application Number 09/910,657  
 Filing Date July 20, 2001  
 First Named Inventor JAEPEL, et al.  
 Examiner Name Lerner, Martin  
 Art Unit 2654  
 Attorney Docket No. CH9-2000-0004 (246)

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JAN 1 2005

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 50-0951  
 Deposit Account Name Akerman Senterfitt

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 660	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$ 0.00)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims 71 -20-- = 8 x 50 = 400  
 Independent Claims 4 -3-- = 1 x 200 = 200  
 Multiple Dependent

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 88	2201 44	Independent claims in excess of 3	
1203 300	2203 150	Multiple dependent claim, if not paid	
1204 88	2204 44	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$ 600.00)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	120.00
1252 430	2252 215	Extension for reply within second month	
1253 880	2253 490	Extension for reply within third month	
1254 1,630	2254 765	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,370	2453 685	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 490	2502 245	Design issue fee	
1503 660	2503 330	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 60	1807 60	Processing fee under 37 CFR 1.17(a)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 120.00)

SUBMITTED BY		(Complete if applicable)	
Name (Print/Type)	BRIAN K. BUCHHEIT	Registration No. (Attorney/Agent)	52,667
Signature	<i>Brian K. Buchheit</i>	Telephone	561-653-5000
		Date	JANUARY 11, 2005

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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